Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Fones4All Corp.		
Petition for Expedited Forbearance Under	)	WC Docket No. 05-261
47 U.S.C. § 160(c) and Section 1.53		
From Application of Rule 51.319(d)	)	
To Competitive Local Exchange Carriers	)	
Using Unbundled Local Switching to Provide	)	
Single Line Residential Service to End Users	)	
Eligible for State of Federal Lifeline Service		
	)	
Unbundled Access to Network Elements	)	WC Docket No. 04-313
	)	
Review of Section 251 Unbundling Obligations	)	CC Docket No. 01-338
Of Incumbent Local Exchange Carriers		
Fones4All Corp. Emergency Petition for		
Interim Waiver of Section 52.319(d) of the	)	
Commission's Rules in the State of California	)	

DECLARATION OF CHERYL LABAT

1.   My name is Cheryl Labat. I am a Specialized Services Local Account

Manager for AT&T California ("AT&T"). My job functions include acting as the point

person for managing the overall contractual relationship between Competitive Local

Carriers ("CLECs") and AT&T. In that capacity, I frequently work with the CLEC

community to update interconnection agreements as well as manage a variety of other

CLEC issues related to ordering, billing, collections, and FCC and state commission

compliance. From an operational process perspective, I have been very involved with the

CLECs to ensure compliance with the March 11, 2006 transitional requirements in the

Triennial Review Remand Order ("TRO Remand Order") for unbundled local switching and UNE-P.

2. I submit this declaration in response to the assertions of Ms. Tiffany Chesnosky, dated February 24, 2006, on behalf of Fones4All Corporation ("Fones4All") In particular, my declaration will demonstrate that Fones4All delayed several months before taking important steps toward becoming a facilities-based provider, and that that delay seems to be the primary reason why Fones4All is in jeopardy of missing the March 11, 2006 UNE-P transition deadline. My declaration will also demonstrate that several of the allegations made by Ms. Chesnosky are false and misleading.

3. As an initial matter, CLECs that want to transition from UNE-P to a new facilities-based UNE-L service arrangement must take a number of important preliminary steps to accomplish their plan. These steps include establishing switching arrangements establishing new contractual arrangements with AT&T, and ensuring that the CLEC's OSS systems are pre-programmed to send and receive the communications that AT&T needs to process orders to transition UNE-P service to UNE-L arrangements. Based on my experience, the preliminary planning involved with this type of transition may take several months depending on various circumstances. In Fones4All's case, these steps should have been taken with sufficient lead time to ensure a successful transition of its embedded UNE-P base to meet the FCC's mandated transition deadline of March 11, 2006.

4 After the FCC released its final TRO Remand Order on February 4, 2005 AT&T made multiple contacts with the CLEC community -- via the Account Team, Accessible Letters and the Amendment process -- to ensure that all parties were aware of

the March 11, 2006 deadline. Fones4All, however, waited several months, until mid-September, to make its initial contact with AT&T to begin UNE –P transition plans. Thus, it is Fones4All that appears to have lacked any sense of urgency in implementing a timely transition plan.

5.   Moreover, Ms. Chesnosky's declaration is false and misleading in several key respects. For instance, although Ms. Chesnosky correctly notes (¶ 6) that she sent me an e-mail on October 20, 2005, requesting information about the process to establish a Batch Hot Cut Amendment to Fones4All's existing interconnection agreement, she falsely accuses me of not responding to this request for more than three weeks. I in fact responded *within approximately three hours* with an e-mail that included an attachment containing sample contract language. In the same e-mail, I also informed her that "If you choose this amendment I will send a Contract Request Form to our Contract group."

6.   Ms. Chesnosky's declaration also fails to note that Fones4All did not respond to my October 20th e-mail for more than two weeks. In fact, I did not receive a response to my email until after I proactively followed-up with Fones4all on November 8, 2005, by sending an e-mail to Bettina Cardona, Fones4All's President and CEO. In my November 8th e-mail, I asked Fones4All to provide me with a status and stated that if Fones4All wanted to execute the Batch Hot Cut contract amendment I had previously sent, I would submit a request to our contract group for processing. Ms. Cardona responded later that day, stating that Fones4All wanted us to proceed with the contract amendment. I promptly complied with her request.

7.   On November 21, 2005, AT&T e-mailed the necessary contract documentation to Fones4All. More than two weeks passed, however, before Ms
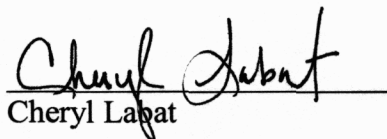
Cardona executed the contract forms (December 8, 2005) and forwarded the required signature documents to AT&T for processing. Moreover, the actual submission of the amendment to the California Public Utilities Commission was delayed because Fones4All placed the incorrect carrier identification number (the OCN or Operating Company Number) on its copy of the documents. Once AT&T caught this error, the documents were returned to Fones4All for correction. After Fones4All corrected and returned the documents to AT&T for filing, AT&T promptly handled the transaction

8. The contract process is only a preliminary step in the UNE-P-to-UNE-L transition. Actual hot cut orders cannot be successfully submitted and provisioned unless the requesting carrier's OSS systems are properly programmed and the carrier submits complete and correct orders. Over the past few months, AT&T has attempted to assist Fones4All in its attempt to get "up to speed" on technical OSS issues. Our OSS systems are updated via the CLEC Profile. On at least four occasions in the months of October and November 2005, I and others at AT&T (including Cheryl Martinez, the AT&T E911 Account Manager, Grant Dibley, AT&T Network Interconnection Area Manager, Ruby Spencer, AT&T Project Manager, Annmarie Peters, AT&T M&P Manager and Alan Jackson, AT&T Service Manager) responded to questions raised by Fones4All as it attempted to implement the processes for batch hot cuts   Yet, Ms. Chesnosky's declaration fails to mention the extensive support provided by AT&T and instead focuses on a specific email exchange dated January 19, 2006 in which Fones4All states that AT&T answered only "some" of Fones4All's questions. In fact, AT&T provided Fones4All answers to all of its questions.   Thus, the assertion that AT&T was not responsive to Fones4All's inquiries is completely false

9.   Finally, Ms. Chesnosky (¶ 8) claims that Fones4All's test batch cut orders failed to complete because AT&T "had apparently failed to update its systems with Fones4All's new UNE-L [carrier identification] number." However, Ms. Chesnosky's declaration ignores the actual reason for the "failure" – namely, Fones4All's failure to submit an updated CLEC Profile reflecting its new carrier number, as set forth in AT&T's processes.

10.   In summary, the Chesnosky Declaration paints a misleading picture of the communications between Fones4All and AT&T relating to Fones4All's UNE-P transition plans. A careful review of the communications between Ms. Chesnosky and myself demonstrates that AT&T was very responsive and that, at no time, did Ms. Chesnosky complain that she was receiving an unsatisfactory level of service. Instead, her e-mails commended me for my promptness and responsiveness to her requests. Moreover, had Fones4All not waited several months after the release of the TRO Remand Order to start discussions regarding its transition to UNE-L, many of its issues could have been worked through with ample time for Fones4All to complete its transition from UNE-P to UNE-L by March 11, 2006.

I declare under penalty of perjury that the foregoing is true and correct.

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Cheryl Laßat

Dated: March 6, 2006